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August 27, 2024

VIA ECF

Hon. Sarah Netburn
United States Magistrate Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Application of Martinez et al*, 1:24-mc-00306-RA

Dear Judge Netburn:

We write on behalf of Caribbean Galaxy Real Estate Corporation, Galaxy Group and Ying Jin (collectively, the “Caribbean Galaxy Parties”) to respectfully correct a misstatement of the record contained in Applicants Philippe Martinez and MSR Media SKN Ltd.’s August 26, 2024 letter (ECF 26) to the Court.

Applicants’ letter states that “[t]he Caribbean Galaxy Parties do not allege that the August 1 Interview indicates that § 1782 discovery is for use in the U.S. RICO litigation *instead* of the Foreign Defamation Proceedings in St. Kitts and Nevis.” (*Id.* at 2.) That is incorrect. In fact, that is exactly the Caribbean Galaxy Parties’ submission. As the Caribbean Galaxy Parties explained in their memorandum of law in opposition to the application, “the discovery sought is not intended for use in the St. Kitts and Nevis Proceedings, but for the RICO Action” (ECF 22 at 7), and that Applicants’ “requested discovery can only be intended ‘for use’ in the RICO Action—and not in the St. Kitts and Nevis Proceedings” (*id.* at 18). The pretextual nature of Applicants’ discovery requests follows directly from Mr. Martinez’s undisputed public statements and from the plain overbreadth of his subpoenas. Specifically, Applicants admit (ECF 26 at 2) that they are pursuing discovery pertaining to the Caribbean Galaxy’s activities “across the Caribbean, including in St. Lucia”—which is beyond the scope of the St. Kitts and Nevis Proceedings (*see* ECF 22 at 10) because those proceedings do not relate to St. Lucia. Moreover, even in their own submissions to the Court, Applicants cannot and do not disavow Mr. Martinez’s continued public statements

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confirming that the discovery they seek is at the very minimum *primarily* “for use” in the RICO Action, which is consistent with the fact that they are seeking documents that are obviously outside the scope of the St. Kitts and Nevis Proceedings.

Respectfully submitted,

/s/ Samuel G. Williamson

Samuel G. Williamson

Counsel for the Caribbean Galaxy Parties

cc: All counsel of record (via ECF)